

In The Court Of Appeal Of The State Of California 45  
Sixth Appellate District  
San Jose, California

MONDAY, MARCH 11, 2002

H022068 PEOPLE v. SANCHEZ

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed March 11, 2002

H023474 PEOPLE v. MESSINEO

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)  
Filed March 11, 2002

TUESDAY, MARCH 12, 2002

H021573 PEOPLE v. KADJEVICH, III

H022286 PEOPLE v. KADJEVICH, III

H024061 In re KADJEVICH, III on Habeas Corpus

The judgment is affirmed in case No. H021573. The appeal in case No. H022286 is dismissed. The petition for writ of habeas corpus is denied. (not published)  
(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed March 12, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; O'Farrell, J.\*; and Judy Benitez, Deputy Clerk.

\*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

H022113 PEOPLE v. UCMAY

Cause called and argued by Charles Bonneau appearing for Appellant and by Christopher Grove, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H020848 PEOPLE v. BERTSCH

Cause called and argued by Jonathan Grossman appearing for Appellant and by John R. Vance, Deputy Attorney General, appearing for Respondent. The court grants appellant's motion to file a supplemental reply brief and orders said brief due by April 2, 2002. The case will be deemed submitted upon the filing of the brief.

In The Court Of Appeal Of The State Of California 46  
Sixth Appellate District  
San Jose, California

Tuesday, March 12, 2002 (continued)

H021429 JOLIN, INC. v. RUEGG

Cause called and argued by David W. Lively appearing for Appellant and by Edward Newman appearing for Respondent. Cause ordered submitted. Wunderlich, J. leaves the bench and Mihara, J. takes the bench.

H023199 DePASSE, as Executor, etc. v. Harris

Cause called and argued by Richard Wideman appearing for Appellant and by Richard A. Gorini appearing for Respondent. Cause ordered submitted.

H023137 SANTA CRUZ COUNTY HUMAN RESOURCES AGENCY v. CHRISTINA P.

Cause called and argued by Lori Lee appearing for Appellant and by Shannon M. Sullivan, Deputy County Counsel, appearing for Respondent. Cause ordered submitted. Court is adjourned.

H022403 EPSTEIN v. BAILEY

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed March 12, 2002

H023087 MONTEREY COUNTY DEPT. OF SOCIAL SERVICES v. LOLA E.

H023815 In re LOLA E. on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed March 12, 2002

H022649 PEOPLE v. TORRES

The judgment is modified to reduce the restitution fine to \$200. As so modified the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment. (not published)

(O'Farrell, J.\*; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed March 12, 2002

\*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Sixth Appellate District

San Jose, California

WEDNESDAY, MARCH 13, 2002

H021833 PEOPLE v. ALCONTAR

The judgment is affirmed. (not published)  
(O'Farrell, J.\*; We concur: Bamattre-Manoukian, Acting P.J.,  
Wunderlich, J.)

Filed March 13, 2002

\*Judge of the Monterey Superior Court assigned by the Chief  
Justice pursuant to article VI, section 6 of the California  
Constitution.

H021813 PEOPLE v. ESCUE

The judgment is affirmed. (not published)  
(O'Farrell, J.\*; We concur: Bamattre-Manoukian, Acting P.J.,  
Wunderlich, J.)

Filed March 13, 2002

\*Judge of the Monterey Superior Court assigned by the Chief  
Justice pursuant to article VI, section 6 of the California  
Constitution.

H023251 PEOPLE v. MARCIAL

The judgment is affirmed. (not published)  
(O'Farrell, J.\*; We concur: Bamattre-Manoukian, Acting P.J.,  
Wunderlich, J.)

Filed March 13, 2002

\*Judge of the Monterey Superior Court assigned by the Chief  
Justice pursuant to article VI, section 6 of the California  
Constitution.

H023024 DFCS v. LINDA M.

The order of May 8, 2001, is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed March 13, 2002

THURSDAY, MARCH 14, 2002

H021031 PEOPLE v. HOLMES

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Mihara, J.)

Filed March 14, 2002

In The Court Of Appeal Of The State Of California 48  
Sixth Appellate District  
San Jose, California

Thursday, March 14, 2002 (continued)

The Court met at the Panelli Moot Court Courtroom, Bergin Hall, Santa Clara University, Santa Clara, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; O'Farrell, J.\*; and S. Nasson, Deputy Clerk.

\*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

H020883 PEOPLE v. LOWREY

Cause called and argued by Dallas Sacher appearing for Appellant and by Michael Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022305 THOMPSON v. LINDOP, et al.

Cause called and argued by Stephen Picone appearing for Appellant and by Kathryn Zoglin, Deputy County Counsel, and Charles Triay appearing for Respondents. Cause ordered submitted.

H021249 TUCKER v. OTT

Cause called and argued by Roger Vehrs appearing for Appellant and by James Simoni appearing for Appellant. Cause ordered submitted. Wunderlich, J. leaves the bench and Mihara, J. takes the bench.

H021945 CORONO ORO, INC. v. THOMPSON

Cause called and argued by Gary Garfinkle appearing for Appellant and by James Luce appearing for Respondent. Cause ordered submitted. Court Adjourns.

H021677 FINCH, et al. v. CALIFORNIA FEDERAL BANK, F.S.B., et al.

The order confirming determination of the validity of the submitted claims is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Mihara, J.)

Filed March 14, 2002

In The Court Of Appeal Of The State Of California 49  
Sixth Appellate District  
San Jose, California

Thursday, March 14, 2002 (continued)

H018928 PEOPLE v. MORENO

The judgment is modified by striking the parole revocation fine under section 1202.45. As so modified, the judgment is affirmed. (not published)

(Cottle, J.\*; We concur: Elia, Acting P.J., Mihara, J.)

Filed March 14, 2002

\*Retired Presiding Justice of the Court of Appeal, Sixth Appellate District, assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

FRIDAY, MARCH 15, 2002

H022495 AVILA v. PALO ALTO COMMUNITY FEDERAL CREDIT UNION

The judgment is affirmed. In the interests of justice, costs are awarded to plaintiff. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed March 15, 2002

H022218 PEOPLE v. DEUTSCH

H023135 In re DEUTCH on Habeas Corpus.

Defendant's restitution fine is reduced to \$200. In all other respects the judgment is affirmed. Defendant's petition for writ of habeas corpus is denied. (not published)

(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed March 15, 2002

H022831 MOORE v. MOORE

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., O'Farrell, J.\*)

Filed March 15, 2002

\*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to Article VI, Section 6 of the California Constitution.

H021918 PEOPLE v. LAIRD

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed March 15, 2002

In The Court Of Appeal Of The State Of California      50  
Sixth Appellate District  
San Jose, California

Friday, March 15, 2002 (continued)

H022254   PEOPLE v. LEVARIO, JR.

The appeal as to defendant's first ground is dismissed.  
Judgment is reversed and the matter is remanded for proceedings  
consistent with this opinion. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed March 15, 2002

H021754   SALYER v. SALYER AMERICAN FRESCH FOODS, INC.

The appeal is dismissed. (not published)  
(Mihara, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed March 15, 2002